



APPROPRIATIONS UPDATE

HOUSE COMMITTEE ON THE BUDGET
Majority Caucus

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COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS FOR FISCAL YEAR 2002 Conference Report

SUMMARY

The conference report accompanying the Commerce, Justice, State, the Judiciary, and related agencies appropriations bill (H.R. 2500, H. Rept. 107-278) provides \$38.656 billion in budget authority [BA] and \$38.847 billion in outlays for fiscal year 2002. As agreed to, the conference report exceeds the appropriate 302(b) allocation by \$115 million in BA and therefore violates the Congressional Budget Act. Pursuant to the bipartisan agreement between the Congress and the

administration, however, the House Budget Committee has reported a bill (H.R. 3084) increasing the appropriate levels in the budget resolution (H. Con. Res. 83) and the discretionary spending limits established in the Deficit Control Act. Enactment of this legislation will allow the Committee on Appropriations to revise its subcommittee allocations and, consequently, ensure that the bill is in compliance with the budget resolution as revised.

Commerce, Justice, State, and Judiciary Appropriations Conference Report (fiscal years; millions of dollars)				
	2001 Enacted	Administration 2002 Request	House-Passed	Conference
Budget Authority	38,209	37,921	38,541	38,656
Outlays	37,439	38,824	38,905	38,847

DISCUSSION

The conference report provides an increase of \$447 million in BA from the fiscal year 2001 enacted amount, \$735 million in BA above the President's request, and \$115 million in BA over the amount included in the House-passed measure. The bill contains neither advance appropriations nor emergency-designated appropriations.

The conferees' agreement provides funding for the Department of Justice that is \$229 million in BA less than the House-passed bill. Of that amount, \$119 million is from increasing the obligation delay for the crime victims fund.

This provision restores limits on crime victims fund spending that existed before – and were modified by – the USA PATRIOT Act. But the provision exempts from these limits the transfer of any emergency funds already obligated as a result of the PATRIOT Act. Another \$117 million of the BA reduction comes from the State and Local Law Enforcement Assistance program, which is partly offset by a \$29-million BA increase in justice assistance spending.

The conference report provides \$5.344 billion in BA for Commerce Department programs, \$436 million over the

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House-passed level and \$444 million above the President's request. This total includes \$185 million for the Advanced Technology Program, instead of the \$13 million included in the House-passed bill and requested by the President. Most of the remaining increase is from: a) a \$162-million increase for the National Oceanic and Atmospheric Administration relative to the House-passed level (\$190 million above the administration request); and b) the absence of the President's proposed rescission of a previously enacted appropriations.

Nevertheless, the conference report does contain five rescissions totaling \$105 million in BA. One is a total of \$5 million from the emergency oil and gas guarantee loan program in the Department of Commerce. The President had requested a \$115-million rescission from this program, which was included in the House bill; but the rescission was

subsequently enacted in the fiscal year 2001 supplemental appropriations act. The other rescissions are: \$40 million from the assets forfeiture fund in the Department of Justice, which was in neither the House or Senate-passed bill; \$4 million from ship construction in the Maritime Administration, which had been in neither the House nor the Senate bill; \$50 million from salaries and expenses in the Securities and Exchange Commission, which had been in neither the House nor the Senate bill; and \$6 million from the Small Business Administration business loans program account, which had been in neither the House nor the Senate bill. Outlay savings from these rescissions total \$1 million.

The table below presents a comparison, by agency, of amounts provided in the conference agreement with those in the House-passed bill.

Discretionary Spending in the Commerce, Justice, State, and Judiciary Appropriations Conference Report (fiscal year 2002; in millions of dollars)						
	House Passed		Conference		Difference	
	BA	Outlays	BA	Outlays	BA	Outlays
Department of Justice	20,305	21,373	20,274	21,272	-229	-101
Department of Commerce	4,908	5,099	5,344	5,182	436	83
Department of State	7,212	6,607	7,230	6,630	18	23
The Judiciary	4,385	4,320	4,318	4,288	-67	-32
Other Related Agencies	1,533	1,506	1,490	1,475	-43	-31

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